

Andover Conservation Commission Meeting Minutes
August 3, 2010

Town of Andover
36 Bartlett Street
3rd Floor Conference Room
7:45pm

Conservation Commission Members in Attendance:

Chairman Donald Cooper, Commissioner Gail Ralston, Commissioner Michael Walsh and Commissioner Floyd Greenwood. Staff Members present were Robert Douglas, Director of Conservation and Linda Cleary, Conservation Agent.

SCHEDULED ITEMS:

2 Wildrose Drive

Present in Interest: Doug Ahearn

Staff Recommendation: Continue to date uncertain.

Public Meeting on the Request for Determination of Applicability filed to determine if there are any resource areas within the 100 feet of the property with the exception of the north side of Lowell Street is subject to the Massachusetts Wetlands Protection Act.

Agent Cleary presented this to the Commission. The filing is not complete. The site is located in the Fish Brook Watershed Protection Overlay District. The Application before the Commission is for verification of the wetland line using the Town Maps (unflagged). The Applicant asserts there are no wetlands in the rear of the property and staff is of the opinion that there are. The proposed work is to tear down and rebuild. The line must be accurate to determine the 75 foot no-build and 50 foot non-disturb for the new structure. The Applicant indicated a willingness to hire Jeff Bridge to review the wetland area in disagreement. The Commission agreed to have the Town Engineer to review the pipe located on the property to find out where it goes and if it goes to a resource area.

Chairman Cooper asked for a Motion. Commissioner Ralston made a Motion to continue to August 17, 2010, it was seconded by Commissioner Walsh and unanimously approved.

Route 28 North Main Street
MassHighway
Present in Interest: Andrea Norton

Staff Recommendation: Approve as Pos.2b and Neg.6.

Public Meeting on the Request for Determination of Applicability filed to determine if a resurfacing and maintenance project on Route 28/North Main Street is subject to the Massachusetts Wetlands Protection Act.

Mr. Douglas presented this to the Commission. The project is resurfacing to take place within the roadway of Route 28. No waivers have been requested. The submitted plan does not include: Property dimensions; Contours, Land Features; Delineation of wetlands within 100 feet ; Driveway Locations; All Buildings and Structures; Landscape Plant Types; Paved Surfaces; Fences; Walls; Paths; North Arrow; Non-disturbance Zones (25', 50' 100' and Riverfront, if any); Buffer Zone; Buildings; and Sedimentation Controls. Staff will direct placement of sedimentation control. Work is edge of roadway to edge of roadway. This should take 2-3 weeks from beginning to end. No stockpiling and no refueling within the 100 foot buffer zone. The road will be crowned to drain into the catch basins.

Chairman Cooper asked for a Motion. Commissioner Ralston made a Motion to Approve as Pos.2b, and Neg.6 with standard conditions for stockpiling and refueling within the 100 ft. buffer zone, and work to occur from edge of pavement to edge of pavement, it was seconded by Commissioner Walsh and unanimously approved.

Haggetts Pond Road #65
Present in Interest: Mike Ristuccia

Staff Recommendation: Close the Public Hearing and Issue the Order of Conditions.

Continued Public Hearing on an Abbreviated Notice of Resource Area Delineation filed under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Law to determine if the boundaries of resource areas are accurately delineated.

Mr. Douglas presented this to the Commission. This was continued from November 3, 2009 for purposes of obtaining a DEP file number, then continued from June 15, 2010 for abutter deficiency and for proponent to submit a revised ANRAD depicting lots that have been reconfigured. The Applicant has provided proper plans and proper notification. No waivers have been requested. Request for an ORAD locking in wetland lines with no project depicted.

Chairman Cooper asked for a Motion. Commissioner Ralston made a Motion to Close the Public Hearing and Issue the Order of Resource Area Delineation; it was seconded by Commissioner Walsh and unanimously approved.

81 Jenkins Road

Present in Interest: Hemanta Sinha and Robert Wironen

Staff Recommendation: Continue.

Continued Public Hearing on a Notice of Intent filed under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Law for the proposed construction of a sunroom and a deck.

Mr. Douglas presented this to the Commission. This was continued from July 6, 2010 to allow the Applicant to meet our submittal requirements. This is a "Backyard Project". The filing is under the WPA only and does not meet our setbacks. The wetlands have risen to meet the house due to beaver activity. Both silt fence and haybales will be used for sedimentation control. The Applicant is requesting waivers for the following:

1. Habitat Map – low impact project within the backyard with no impact on the wetlands. The Applicant was unable to download the map and print it out.
2. NSRC Map
3. No change in contour - this should be in writing and on the plan.
4. Tree location – trees in close proximity are marked.

Chairman Cooper did not wish to grant Waivers on items 1 and 2, but grant 3 with a notation on the plan and 4 with a notation on the plan that no tree cutting or disturbance outside 25 foot buffer.

Commissioner Ralston did not wish to grant Waivers on items 1, 2 or 3 as there is no reference point of what the characteristics were at the time of the project.

Commissioner Walsh indicated that spot elevations would be helpful on the plan.

The beaver activity on Conservation Land is causing the wetland to creep closer to the house. The Commission scheduled a site visit for August 5, 2010 at 6:00 pm.

Chairman Cooper asked for a Motion. Commissioner Walsh made a Motion to continue to August 17, 2010, it was seconded by Commissioner Ralston and unanimously approved.

ACTION ITEMS:

23 Bateson Drive

Staff Recommendation: Find Insignificant

Consideration of significance to delete the proposed free standing deck and to change the patio to a wood deck (not building the second deck).

Commissioner Ralston made a Motion to find the change not significant in the interest of the Wetlands Protection Act after reviewing the revised plan which include the removal of one wood deck and the replacement of a patio next to the house with a wooden deck per the new plan in the interest of the Wetlands Protection Act, it was seconded by Commissioner Greenwood and unanimously approved.

15 Locke Street

Staff Recommendation: Not significant

Consideration of significance to add a small 2' x 8' balcony to the rear of the house with no footings or support columns.

Commissioner Ralston made a Motion to find the change not significant, it was seconded by Commissioner Walsh and unanimously approved.

SRWA/BSA Invasive Plant Control Demonstration Project Present in Interest: Suzanne Roberts and John Waite

Staff Recommendation: Approve

Vote to accept Volunteer Invasive Vegetation Management Pilot Program. Boy Scouts to remove invasives semi-annually at Rogers Dell by manual removal with some pesticides being applied by "slash and paint". More information will be provided as becomes available.

Commissioner Walsh made a Motion to Approve; it was seconded by Commissioner Ralston and unanimously approved.

Swan Crossing II Present in Interest: Mark Johnson

Staff Recommendation: Approve

Vote to accept the Swan Crossing II Amended Conservation Restriction.

Commissioner Ralston made a Motion to Approve; it was seconded by Commissioner Walsh and unanimously approved.

Overseers Confirmation

Staff Recommendation: Approve

Vote to confirm Lester Satlow and Jon Honea as Overseers.

Commissioner Ralston made a Motion to Approve; it was seconded by Commissioner Walsh and unanimously approved.

CONSENT AGENDA:

5 Launching Road

Issuance of a Notification of Satisfactory Completion of Work Certificate.

Commissioner Ralston made a Motion to Approve; it was seconded by Commissioner Walsh and unanimously approved.

INFORMATION ITEMS:

Hammond Reservation High Plain Road

Present in Interest: Christopher Quatararo and Leslie Quartararo

Chris would like to construct a parking area for his Eagle Scout Project. The project would include clearing the line of sight along High Plain Road, moving of weeds in the area of the parking lot and driveway then mulch supplied by Town will be spread with a wire fence to section the parking area from the field. If time allows, an information kiosk will be built to provide information about the property as well as a map and removal of sumac trees. He will submit a design for the kiosk to Bob Douglas for approval.

LATE ITEM WHICH MAY REQUIRE A VOTE:

South Main Street

Acquisition of 1.5 acres of land comprised of Parcels 337 and 341 at the corner of Orchard Crossing and South Main Street. The usual check is being done on the property by the Town.

Commissioner Walsh made a Motion to Accept the parcel if offered, it was seconded by Commissioner Ralston and unanimously approved.

The next meeting will be held August 17, 2010 at 7:45pm.

The meeting was adjourned at 9:20pm by Motion of Commissioner Ralston, seconded by Commissioner Walsh and unanimously approved.

Respectfully submitted by:

**Lynn Viselli,
Recording Secretary**